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*Attorneys for Plaintiff and the Proposed Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JAY RALSTON, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

MORTGAGE INVESTORS GROUP, INC.,  
MORTGAGE INVESTORS GROUP, a  
general partnership, AND DOES 1-10,

Defendants.

Case No.: CV-08-00536 JF RS

**PLAINTIFF'S NOTICE OF MOTION  
AND MOTION TO COMPEL FURTHER  
DISCOVERY RESPONSES**

Magistrate: Richard Seeborg  
Date: April 22, 2009  
Time: 9:30 a.m.  
Courtroom: 4

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD**

**PLEASE TAKE NOTICE** that on April 22, 2009, plaintiff will and hereby does move this Court for an order compelling defendant Mortgage Investors Group, Inc. and Mortgage Investors Group, a general partnership (õDefendantsö) to comply with Plaintiff's discovery in this case. This motion to compel is brought pursuant to Fed.R.Civ.P. 37(a). The parties have fulfilled their

obligations to meet and confer pursuant to Civil L.R. 37-1(b) and have had multiple telephonic and written communications to try to resolve this discovery dispute. This motion is based upon this Notice of Motion and Motion, the Memorandum of Points and Authorities, the Declaration of Jennie Lee Anderson In Support of Plaintiff's Motion to Compel Further Discovery Responses, the pleadings and other documents contained in the underlying record, and upon any other evidence that is submitted before or during the hearing on this matter.

Dated: March 18, 2009

/s/ Jennie L. Anderson  
Jennie Lee Anderson

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 18, 2009, I electronically filed the foregoing document and exhibits thereto with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: March 18, 2009

/s/ Jennie Lee Anderson

Jennie Lee Anderson

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